



Town of Mashpee

*16 Great Neck Road North
Mashpee, Massachusetts 02649*

BOARD OF HEALTH – PUBLIC SESSION

Minutes of the Meeting of September 1, 2016

Board Members Present:

Kalliope Egloff, Chair
Lucy Burton, Co-Chair
Brian Baumgaertel, Clerk

Also Present:

Glen Harrington, Health Agent

Chair Kalliope Egloff called the meeting to order at 7:04 PM.

APPOINTMENTS

7:15 PM – Powassan Presentation – Larry Dapsis – Entomologist.

Larry Dapsis, Entomologist with the Cape Cod Cooperative Extension, introduced himself to the Board.

Mr. Dapsis commented that Powassan is actually a town in Ontario. The Powassan disease was described in 1958 in Powassan, Ontario. It's a rare disease with the number of reported cases steadily increasing. There have been nine reported cases in Massachusetts in the last 2 years. Symptoms are very similar to those of encephalitis, meningitis, and the West Nile Virus. In the rare instances that the virus becomes neuro invasive, it's very serious and can be fatal in 10% of the cases. Those that do survive end up with long-term chronic neurological damage.

Creatures, such as mice, skunks, raccoons, and possums that don't move large distances in a short period of time are hosts for ticks and Powassan. This pathogen has been in the tick population for thousands of years and not detected.

Mr. Dapsis has received funding through the Cape Cod Healthcare Community Benefits Grant Program three years in a row. A proposal was submitted to get an extension of the current grant that subsidizes tick testing for \$15 which is normally \$50.

The three point plan of prevention is protect yourself, protect your yard, and protect your pets. Treat your clothing, spray your yard, and protect your pets. Unfortunately, there is no treatment for Powassan since it is a virus. There are two lineages of the Powassan virus. One is associated with the deer tick and the other with the wood chuck tick.

Lyme is a reportable disease and a major issue. Doctors don't always submit the information to the State of Massachusetts. The Cape Cod Hospital performs a full tick-borne panel of blood work instead of guessing the type of Lyme disease. The clinical testing for Powassan is different. It requires a spinal fluid analysis.

7:50 PM – Well Variance – 130 Wheeler Road.

Glen Harrington stated that the owners of 130 Wheeler Road have asked Desmond Well Drilling to install an irrigation well on their property. When the Dig Safe notification was requested, the military contacted Mr. Harrington as the property is within the Mashpee moratorium area. Doug Karson from AFCEE provided 16 pages of information regarding the contamination in the area and well sampling results for 156 Wheeler Road. There is one military monitoring well near 130 Wheeler Road. No volatile organic compounds have been

detected in that well from 1999-2010. There is a new emerging contaminant found in the groundwater, in and around the ponds, known as perfluorinated compounds (PFC's). The EPA has set an advisory level of 0.07 ug/L for PFC's. Some properties, down gradient of the plumes and ponds with potable wells, have been identified with elevated levels of PFC's. The military is providing bottled water and installing granulated activated carbon filtration systems to those properties. Both VOC and PFC testing is recommended by the military should the Board of Health approve the irrigation well.

Tom Desmond of Desmond Well Drilling, representing 130 Wheeler Road, introduced himself to the Board. Mr. Desmond stated that this is an installation for an irrigation well. The irrigation well will be used primarily to irrigate the lawn and water the bushes on the property.

Lucy Burton made a motion that the Board of Health approve the irrigation well at 130 Wheeler Road with the condition that there is annual testing of the irrigation well water for PFC's and VOC's and a Deed Restriction placed on the property. If contaminants are found above the allowable limits, then the well will be decommissioned at the homeowner's expense. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

7:55 PM – Commercial Site and Septic Plan Review – 61 Echo Road.

Raul Lizardi-Rivera of Holmes and McGrath, representing 61 Echo Road, introduced himself to the Board.

Mr. Lizardi-Rivera commented that the proposed site development is for an electrical company and used primarily by the owner, Driscoll Electric. The front of the building will be office use for the electric company, and the rear of the building to be leased and used as a warehouse. The proposed septic system will be located at the front of the property. A two-compartment septic tank is proposed along with a primary leaching field and a reserve area. At the rear of the property will be a holding tank for the warehouse portion of the building, and floor drains will also be installed in the warehouse.

Glen Harrington remarked that his industrial tight tank recommendations have been included to the Board of Health Commercial Requirements. The additional requirements are:

1. A plumbing permit for tight tank installation.
2. The tank should be sealed to insure water tightness.
3. Concrete tanks shall be a monolithic-type construction.
4. The tanks shall be tested watertight by holding a full level of liquid for a minimum of 24 hours and be witnessed by the Plumbing Inspector or an Agent of the Board of Health.

Lucy Burton made a motion that the Board of Health approve the Site and Septic Plan for 61 Echo Road with the condition that all of the Mashpee Board of Health Requirements for Commercial Buildings are included. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

8:00 – Commercial/Industrial Site Plan & Septic Review – 29 Echo Road.

Raul Lizardi-Rivera of Holmes and McGrath, representing 29 Echo Road, introduced himself to the Board.

Mr. Lizardi-Rivera stated that this project is a small 1500-square foot building. The septic system is proposed to be in the rear of the property. A two-compartment septic tank along with a primary leaching area and a reserve area are proposed. These two leaching areas will be installed at the same time.

Glen Harrington remarked that his comments to the Zoning Board of Appeals for the Special Permit a year ago were: "The plan meets the minimum requirements for Title V. If the facility becomes a dispensary for recreational marijuana, the use is expected to substantially increase so installing a larger leaching facility now is recommended. The reserve area will also be installed at the same time as the primary so there is a failsafe built into the situation".

The storm water retention areas have a subsurface component to mitigate standing water. The parking, lighting, security, and access have been covered by other Town Departments. Also, since this is a commercial/industrial property, Mr. Harrington recommends to approve with the Commercial Property Requirements.

Lucy Burton made a motion that the Board of Health approve the Site and Septic Plan Design for 29 Echo Road with the condition that the Mashpee Board of Health Commercial Building Requirements are incorporated. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

8:05 – Title V Septic Plan Approval – 17 Monomoscoy Road West.

Glen Harrington requested that the Title V Septic Plan approval for 17 Monomoscoy Road West be continued to the next Board of Health meeting allowing Mr. Borselli and the attorney for the property an opportunity to represent the owners. There are no variances for 17 Monomoscoy Road West, but since there are comments and concerns by an abutter, Mr. Harrington would prefer their presence to hear the commentary.

Kalliope Egloff made a motion that the Board of Health continue discussion on 17 Monomoscoy Road West to the next Board of Health meeting. Lucy Burton seconded the motion. The motion was unanimously approved.

NEW BUSINESS

1. Sign Expense Warrants. The Board members signed the expense warrants.

2. Review/Approve BOH Public Session Minutes: August 4, 2016.

Lucy Burton made a motion that the Board of Health approve the Public Session minutes of August 4, 2016, as presented. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

3. Town Counsel's Comments: Restricting Sale of Tobacco Products.

Glen Harrington remarked that Town Counsel forwarded comments on the wording of the newly amended tobacco regulation. One comment was regarding a minor and a parent or legal guardian giving tobacco products to an individual less than 21 years of age. Town Counsel suggested deleting this as it didn't make sense. The other portion was under violations. Town Counsel recommended that the use of Chapter 40 Section 21D, as a non-criminal citation, be listed within the same section of violations, not a separate section. It was not the wording but merely changing the order in which it appears in the regulation. Also, correct the misspelling of the word "therefore". Mr. Harrington will re-advertise the tobacco regulation once the Board approves Town Counsel's recommendations.

Lucy Burton made a motion that the Board of Health approve the amended regulation "Restricting the Sale of Tobacco Products". Brian Baumgaertel seconded the motion. The motion was unanimously approved.

4. Condemnation Hearing: 37 Tri-Town Circle.

Glen Harrington commented that the exterior of the property located at 37 Tri-Town Circle is extremely cluttered with trash and appliances. Mr. Harrington submitted a request to the Town Manager's office for clean-up of the property by the Department of Public Works. Mr. Harrington stated that the Health Department was informed someone may still be living in the basement and the utilities have been disconnected. According to the code, the property is considered occupied and Mr. Harrington posted the dwelling as unfit for habitation. The Bank has been notified of the hearing with no response. The Department of Public Works will supply the Health Department with an invoice for the clean-up, and a lien will be placed on the property.

Mr. Harrington is requesting that the Board vote to condemn the property, issue a finding that the property is unfit for human habitation, and require the dwelling to be secured and vacated. Also, since active rats have been observed at the property, order the health agent to hire a pest control company.

Brian Baumgaertel made a motion that the Board of Health issue a finding that the dwelling located at 37 Tri-Town Circle is unfit for human habitation, condemn the dwelling, and require the dwelling to be secured and

vacated. Also, the Health Agent is to hire a pest control company to abate the health hazard from the observed rats on the property. Lucy Burton seconded the motion. The motion was unanimously approved.

OLD BUSINESS

1. Housing Compliance Update: 394 Cotuit Road.

Glen Harrington stated that Erika Woods of the Cape Cod Hoarding Task Force and Vickie McFarland-Richter of 394 Cotuit Road will be attending the next scheduled Board of Health meeting on September 15, 2016.

ADDITIONAL TOPICS

None.

DISCUSSION

1. Transgender Bathrooms.

Glen Harrington remarked that he would like to continue discussion of transgender bathrooms to the next scheduled Board of Health meeting so that he may be able to fully research it.

2. Health Agent's Monthly Report.

Glen Harrington stated that he planned to incorporate the original Board of Health tracking list for longer term properties with violations to the new Town Manager's document by including the amount of traffic in the Health office, some of the major properties that are taking more time because of condemnation, and restaurants that are on probation which require 3 monthly inspections. The majority of time for the Health Department is devoted to these details. There is too much variability to show inspections, expenses, and revenue.

NEXT MEETING

The next meeting of the Board of Health is scheduled for Thursday, September 15, 2016, at 7:00 PM. As there was no further business, Lucy Burton made a motion to adjourn the Public Session Meeting of the Board of Health at 8:34 PM. Brian Baumgaertel seconded the motion. The motion was unanimously approved.

Respectfully submitted,

Frances Boulos
Administrative Assistant
Mashpee Board of Health

attachments